

CHANGE

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

7400.2F CHG 3

SUBJ: FAA ORDER 7400.2F, PROCEDURES FOR HANDLING AIRSPACE MATTERS

- 1. PURPOSE.** This change transmits revised pages to Order 7400.2F, Procedures for Handling Airspace Matters.
- 2. DISTRIBUTION.** This change is distributed to select offices in Washington headquarters, service area offices, the FAA Technical Center, the FAA Aeronautical Center, all air traffic field facilities, international aviation field offices, and interested aviation public.
- 3. EFFECTIVE DATE.** August 30, 2007.
- 4. EXPLANATION OF CHANGES.** See the Explanation of Changes attachment which has editorial corrections and changes submitted through normal procedures.
- 5. DISPOSITION OF TRANSMITTAL.** Retain this transmittal until superseded by a new basic order.
- 6. PAGE CONTROL CHART.** See the Page Control Chart attachment.

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Date: _____

PROCEDURES FOR HANDLING AIRSPACE MATTERS

Explanation of Changes

a. Table 1-2-1. FAA ORDER ABBREVIATIONS

Editorial changes have been made to update the correct definition of the abbreviations. To update the abbreviations from plural to singular.

b. Paragraph 1-2-3. TITLE 14 CODE OF FEDERAL REGULATIONS (CFR) REFERENCES

The editorial changes are being made to standardize the references to Part 71, Part 93, and Part 101 with other Orders/documentation.

c. Paragraph 5-1-2. AUTHORITY

Editorial change to correct reference. The title should reference “49,” not “14.”

d. 7-2-6. DISTRIBUTION

The paragraph reference has been amended to reflect the appropriate paragraph.

PAGE CONTROL CHART

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Section 2. AUTHORITY AND ORDER USE

1-2-1. POLICY

The navigable airspace is a limited national resource that Congress has charged the Federal Aviation Administration (FAA) to administer in the public interest as necessary to ensure the safety of aircraft and its efficient use. Although the FAA must protect the public's right of freedom of transit through the airspace, full consideration shall be given to all airspace users, to include national defense; commercial and general aviation; and space operations. Accordingly, while a sincere effort shall be made to negotiate equitable solutions to conflicts over the use of the airspace for nonaviation purposes, preservation of the navigable airspace for aviation shall be the primary emphasis.

1-2-2. AUTHORITY AND APPLICABILITY

The authority for the procedures and associated rules and regulations addressed in this order are provided in 49 U.S.C. Subtitle VII, Aviation Programs, Part A - Air Commerce and Safety, and Part B - Airport Development and Noise:

- a. Section 40101, Policy.
- b. Section 40102, Definitions.
- c. Section 40103, Sovereignty and Use of Airspace, and the Public Right of Transit.
- d. Section 40106(a), Deviations From Regulations.
- e. Section 40109, Authority to Exempt.
- f. Section 40113, Administrative.
- g. Section 44501(a), Long Range Plans and Policy Requirements.
- h. Section 44502, General Facilities and Personnel Authority.
- i. Section 44502(c), Military Construction, Rockets, and Missiles.
- j. Section 44718, Structures Interfering with Air Commerce.
- k. Section 44719, Standards for Navigational Aids.

l. Section 44720, Meteorological Services.

m. Section 44721, Aeronautical Maps and Charts.

n. Section 46104(e), Designating Employees to Conduct Hearings.

o. Section 46301, Civil Penalties.

p. Section 46308, Interference with Air Navigation.

q. Chapter 471, Airport Development - All of Subchapters I and II.

r. Chapter 475, Noise - All of Subchapters I and II.

1-2-3. TITLE 14 CODE OF FEDERAL REGULATIONS (CFR) REFERENCES

- a. Part 11, General Rulemaking Procedures.
- b. Part 71, Designation of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points.
- c. Part 73, Special Use Airspace.
- d. Part 77, Objects Affecting Navigable Airspace.
- e. Part 91, General Operating and Flight Rules.
- f. Part 93, Special Air Traffic Rules.
- g. Part 95, IFR Altitudes.
- h. Part 97, Standard Instrument Approach Procedures.
- i. Part 101, Moored Balloons, Kites, Unmanned Rockets and Unmanned Free Balloons.
- j. Part 152, Airport Aid Program.
- k. Part 157, Notice of Construction, Alteration, Activation, and Deactivation of Airports.
- l. Chapter III, Commercial Space Transportation.

m. Chapter V, National Aeronautics and Space Administration..

1-2-4. FUNCTIONAL RESPONSIBILITIES

Functional responsibilities of headquarters and regional/service area organizations referred to in this order are detailed in Order 1100.1, FAA Organization - Policies and Standards, Order 1100.2, Organization - FAA Headquarters, and Order 1100.5, FAA Organization - Field.

1-2-5. WORD USAGE

The concept of word usage and intended meaning as used in this order is set forth below:

a. "Shall" or a command verb is used when application is mandatory.

b. "Shall not" is used when an action is prohibited.

c. "Should" is used when application is recommended.

d. "May" and "need not" are used when application is optional.

e. "Will" is used only to indicate futurity, never to indicate any degree of requirement for application of a procedure.

f. "Navigable airspace" is airspace at or above the minimum altitudes of flight prescribed by the Code of Federal Regulations, and shall include airspace needed to ensure safety in the takeoff and landing of aircraft. By policy, the term "airspace above minimum altitudes of flight" is interpreted to mean "airspace at or above minimum flight altitudes."

g. "Controlled airspace" is a generic term used to describe Class A, Class B, Class C, Class D, and Class E airspace.

1-2-6. ABBREVIATIONS

As used in this manual, Table 1-2-1 contains abbreviations found in this order and their meanings.

1-2-7. ORDER CHANGES

a. This order will be updated semiannually.

b. The responsibility associated with processing and coordinating revisions to this order is delegated to the Manager, Airspace and Rules.

c. Proposed changes or recommended revisions must be submitted, in writing, to Airspace and Rules. The proposal should include a description of the proposal, and the language to be inserted in the order.

d. When appropriate, Airspace and Rules may convene a workgroup for the purpose of reviewing, clarifying, editing, or revising recommendations received to revise this order. Composition of the workgroup will be determined by the subject matter, and the expertise required. Airspace and Rules is responsible for the selection of the members of the workgroup, and for appointing the chairperson of the group.

e. The workgroup shall study the proposal, and, when appropriate, provide their recommendation to the Obstruction Evaluation (OE) Executive Council no later than 90 days after the workgroup adjourns. The Executive Council shall consist of the directors of the service units and the service managers/directors of the lines of business within the FAA who have responsibility for administering the obstruction evaluation program.

f. The Executive Council shall approve, reject, revise, or return the recommendation to the workgroup for further study. If approved by the Executive Council, the recommendation shall be published and effective in the next revision of this order.

g. When revised, reprinted, or additional pages are issued, they will be marked as follows:

1. Each revised or added page will show the change number and effective date of the change.

2. Bold vertical lines in the margin of the text will mark the location of substantive procedural, operational, or policy changes (e.g., when material that affects the performance of duty is added, revised, or deleted).

FAA Order Abbreviations

A/FD	Airport/Facility Directory
AAS	Office of Airport Safety and Standards
ADO	Airport District Office
AE	Airport Elevation
AFS	Flight Standards Service
AFSS	Automated Flight Service Station
AGC	Office of the Chief Counsel
AGL	Above Ground Level
ALP	Airport Layout Plan
APO	Office of Aviation Policy and Plans
APP	Office of Airport Planning and Programming
ARP	Airport Reference Point
ARSR	Air Route Surveillance Radar
ARTCC	Air Route Traffic Control Center
ARU	Airborne Radar Unit
ASR	Spectrum Policy and Management
AST	Office of Commercial Space Transportation
ATC	Air Traffic Control
ATCAA	Air Traffic Control Assigned Airspace
ATCRBS	Air Traffic Control Radar Beacon System
ATCSCC	David J. Hurley Air Traffic Control System Command Center
ATCT	Airport Traffic Control Tower
ATO	Air Traffic Organization
ATREP	Air Traffic Representative
CARF	Central Altitude Reservation Function
CDRH	Center for Devices and Radiological Health
CFA	Controlled Firing Area
CFZ	Critical Flight Zone
CFR	Code of Federal Regulations
CP	Construction Permit
DF	Directional Finder
DME	Distance Measuring Equipment
DMS	Docket Management System
DNE	Does Not Exceed
DNH	Determination of No Hazard
DOD	Department of Defense
DOH	Determination of Hazard
EBO	Exceeds But Okay
EMI	Electromagnetic Interference
ERP	Effective Radiated Power
FAAO	Federal Aviation Administration Order
FACSFAC	Fleet Area Control and Surveillance Facility

FCC	Federal Communications Commission
FDA	Food and Drug Administration
FL	Flight Level
FPO	Flight Procedures Office
FSDO	Flight Standards District Office
FSS	Flight Service Station
GAO	Government Accountability Office
HIL	High Intensity Light
IAP	Instrument Approach Procedure
ICAO	International Civil Aviation Organization
IFR	Instrument Flight Rules
ILS	Instrument Landing System
IR	IFR Military Training Route
IRAC	Interdepartmental Radio Advisory Committee
J	Joule
L/MF	Low/Medium Frequency
LFZ	Laser Free Zone
LLWG	Local Laser Working Group
LMM	Middle Compass Locator
LOA	Letter of Agreement
LOD	Letter of Determination
LOM	Outer Compass Locator
LSO	Laser Safety Officer
MAJCOM	Military Major Command
MCA	Minimum Crossing Altitude
MCP	Minimum Crossing Point
MEA	Minimum En Route Altitude
MHA	Minimum Holding Altitude
MIA	Minimum IFR Altitude
MLS	Microwave Landing System
MOA	Military Operations Area
MOCA	Minimum Obstruction Clearance Altitude
MPE	Maximum Permissible Exposure
MRAD	Milliradian
MRU	Military Radar Unit
MSA	Minimum Safe Altitude
MSL	Mean Sea Level
MTR	Military Training Route
MVA	Minimum Vectoring Altitude
NACO	National Aeronautical Charting Group
NAD	North American Datum
NAS	National Airspace System
NASA	National Aeronautics and Space Administration
NAVAID	Navigational Aid
NDB	Nondirectional Radio Beacon
NEPA	National Environmental Policy Act
NFDD	National Flight Data Digest
NFZ	Normal Flight Zone

NM	Nautical Mile
NPH	Notice of Presumed Hazard
NOHD	Nominal Ocular Hazard Distance
NOTAM	Notice to Airmen
NPIAS	National Plan of Integrated Airport Systems
NPRM	Notice of Proposed Rulemaking
NR	Nonrulemaking
NRA	Nonrulemaking Airport
NSA	National Security Area
NWS	National Weather Service
OE	Obstruction Evaluation
OE/AAA	Obstruction Evaluation/Airport Airspace Analysis
OFZ	Obstacle Free Zone
PAPI	Precision Approach Path Indicator
PFC	Passenger Facility Charge
PL	Public Law
PSR	Project Status Request
RBS	Radar Bomb Site
REIL	Runway End Identifier Lights
RNAV	Area Navigation
ROFA	Runway Object Free Area
RPZ	Runway Protection Zone
RVR	Runway Visual Range
RVV	Runway Visibility Value
SFZ	Sensitive Flight Zone

SIAP	Standard Instrument Approach Procedure
SMO	System Maintenance and Operations
SR	Scientific/Research Lasers
STAR	Standard Terminal Arrival Route
SUA	Special Use Airspace
TERABA	Termination/Abandoned Letter
TEREXP	Termination/Expired Letter
TERPS	United States Standard for Terminal Instrument Procedures
TERPSR	Termination Project Status Letter
TOFA	Taxiway Object Free Area
USC	United States Code
UTC	Coordinated Universal Time
VASI	Visual Approach Slope Indicator
VFR	Visual Flight Rule
VGSI	Visual Glide Slope Indicator
VOR	Very High Frequency Omnidirectional Range
VORTAC	Very High Frequency Omni-Directional Radio Range and Tactical Air Navigation Aid
VR	VFR Military Training Route

TBL 1-2-1

Part 2. OBJECTS AFFECTING NAVIGABLE AIRSPACE

Chapter 5. BASIC

Section 1. GENERAL

5-1-1. PURPOSE

The guidelines, procedures, and criteria detailed in this part supplement those contained in part 77, Objects Affecting Navigable Airspace, and address the following:

a. The performance of functions relating to the processing of notices of proposed construction or alteration.

b. The conduct of aeronautical studies of any existing or proposed object affecting the navigable airspace.

c. The conduct of aeronautical studies of the electromagnetic radiation effect of proposed or existing objects on the operation of air navigation facilities.

d. The conduct of aeronautical studies of the physical effect of proposed or existing objects on the line-of-sight view of all runways, taxiways, and traffic pattern areas from the airport traffic control tower.

e. The conduct of aeronautical studies regarding the physical effect of proposed or existing objects on airport approach lighting systems.

5-1-2. AUTHORITY

a. The FAA's authority to promote the safe and efficient use of the navigable airspace, whether concerning existing or proposed structures, is predominantly derived from Title 49 U.S.C. Section 44718 (Section 44718). It should be noted however, that Section 44718 does not provide specific authority for the FAA to regulate or control how land (real property) may be used in regard to structures that may penetrate navigable airspace.

b. Title 14 of the Code of Federal Regulations (14 CFR) part 77, Objects Affecting Navigable

Airspace, was adopted to establish notice standards for proposed construction or alteration that would protect aircraft from encountering unexpected structures.

5-1-3. POLICY

The prime objective of the FAA in administering Section 44718 and 14 CFR part 77 in conducting obstruction evaluation studies is to ensure the safety of air navigation and efficient utilization of navigable airspace by aircraft.

5-1-4. SCOPE

a. 49 U.S.C. Sections 40103 and 44718, and part 77 apply only to structures located within any state, territory, or possession of the United States, within the District of Columbia, or within territorial waters (12 NM) surrounding such states, territories, or possessions.

b. Structures that are subject to study requirements associated with 49 U.S.C. Section 40103, 44718, and part 77 may be man made (including mobile structures) or of natural growth and terrain whether existing, proposed, permanent, or temporary.

5-1-5. RESPONSIBILITY

The responsibility for managing the obstruction evaluation program for those structures that may affect the navigable airspace is delegated to the Obstruction Evaluation Service (OES).

5-1-6. SENSITIVE CASES REFERRED TO WASHINGTON

The OES Manager, or designated representative, shall brief sensitive or high profile cases to the Manager, Airspace and Rules before issuing, revising, or extending the determination.

5-1-7. AUTOMATION

a. To the extent practicable, the obstruction evaluation/airport airspace analysis (OE/AAA) automated programs shall be used in lieu of manual processing.

b. Automated obstruction evaluation (OE) correspondence forms shall be used.

5-1-8. OE/AAA AUTOMATED SYSTEM AIRPORT/RUNWAY DATABASE

a. To ensure the automated part 77 obstruction criteria and the military part 77 obstruction criteria conflict analysis programs consider all known plans on file, the regional Airports Division is responsible for maintaining the automated airport/runway database.

1. Either the Airports Division or the Airports District Office shall enter the ultimate airport reference point for any proposed public-use or military airport into the database within two working days from receipt of the information.

2. Either the Airports Division or the Airports District Office shall enter any change of airport status from private-use to public-use into the database within two working days from receipt of the information. As workload permits, information on private-use airports shall also be entered into the database.

3. Either the Airports Division or the Airports District Office shall enter all other public-use and military airport/runway information in the database within 10 working days from receipt of the information.

b. Airports shall resolve and correct any discrepancies that have been identified in the automated airport/runway database.

c. Any required corrections shall be forwarded to Aeronautical Information Management.

5-1-9. TRAINING

Employees involved with the OE/AAA program shall attend the Basic Obstruction Evaluation and Airport/Airspace Analysis Course offered by the FAA Academy.

5-1-10. RELEASE OF INFORMATION

Requests from the public for access to or copies of information contained in obstruction evaluation study files are occasionally made to the regional offices. Such requests shall be processed in accordance with the provisions of the Freedom of Information Act (5 U.S.C. 552), as implemented by part 7 of the Department of Transportation Regulations and Order 1270.1, Freedom of Information Act Program. Information should not be released on any case until a final determination has been made.

Section 2. EXTENSION OF DETERMINATIONS

7-2-1. AUTHORITY

The FAA official issuing a determination has the delegated authority to grant an extension. Where a petition for an extension generates public interest or controversy, the OES shall inform the office of System Operations Airspace and AIM.

7-2-2. CONDITIONS

An extension may be granted provided the request is timely (received by the FAA 15 days before the determination expires) and a review of aeronautical activity shows no significant adverse effect resulting from a change that has occurred since the determination was issued. In the event a request for extension to the expiration date cannot be granted based on new facts, a "Determination of Hazard to Air Navigation" should be issued effective on the day following the expiration date of the no hazard determination.

7-2-3. COORDINATION

Coordination with Airspace and Rules shall be obtained before denying extensions that pertain to structures that are subject to FCC licensing authority.

7-2-4. EXTENSION PERIOD

Normally, an extension should be for a period of 18 months, unless the sponsor requests a shorter period.

7-2-5. REVIEW PROVISIONS FOR PETITION

If an extension is granted on a DNH, petition rights apply, and therefore, each such extension shall contain a statement advising of the petition period, the effective date, and the new expiration date.

7-2-6. DISTRIBUTION

Distribution shall be accomplished in accordance with paragraph 7-1-7.

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j. Area Chart. Submit an original sectional aeronautical chart depicting the boundaries of the proposed area and any subdivisions.

k. Environmental Documents. Unless provided separately, submit applicable environmental documents. If the environmental analysis is incomplete, indicate the status and estimated completion date.

l. Graphic Notice Information. For temporary MOA or temporary restricted area proposals, include the graphic notice information required by paragraph 21-1-15, above.

m. Other. Include any other information that should be considered by the FAA in making its determination on the proposal.

21-3-4. ABBREVIATED PROPOSALS

a. For certain SUA proposals, it is not necessary to include in the proposal package all of the items specified in paragraph 21-3-3, above. Proponents should consult with the service area office to determine if an abbreviated proposal may be submitted. Abbreviated proposals may be considered for:

1. Amendments of existing SUA to:

(a). Change the controlling or using agency.

(b). Reduce the dimensions or times of use.

(c). Subdivide or revoke the airspace.

(d). Make minor editorial corrections to the legal description.

2. Recurring proposals for temporary airspace (e.g., annual exercises such as Quick Force, Pecos Thunder, etc.) provided the location is the same and activities are similar to previous exercises.

3. Renewal of an existing CFA.

b. The service area office may specify the contents of the abbreviated proposal. Suggested items include, as applicable:

1. The type, purpose, and reason(s) for the action.

2. The specific changes to be made in the area's legal description.

3. For recurring temporary MOAs or CFAs, written confirmation that the activities, times, altitudes, safety precautions, etc., are to be the same as for a previously approved area.

4. The proposed effective date.

5. A summary of proposal coordination accomplished.

6. Environmental documentation, or written re-evaluation/updates of environmental documents used to support a previous temporary MOA.

7. For proposals to revoke SUA provide the reason for the action and requested effective date.

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